

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MASSACHUSETTS**

HIGHSTEPPIN' PRODUCTIONS, LLC.,

Plaintiff

v.

GEORGE PORTER, JR.; DAVID
RUSSELL BATISTE, JR.; BRIAN
STOLTZ; et al.

Defendants

Docket Number

1:09-cv-12208

AFFIDAVIT OF JEFFREY S. BAKER

I, Jeffrey S. Baker, on personal knowledge, information and belief, on oath, depose and state the following:

1. I am a member in good standing of the Massachusetts Bar.
2. I am the Plaintiff's attorney in this action.
3. Attorney Ronnie Penton, Esq., representing the Defendants George Porter, Jr.; Russell Batiste, Jr.; and Brian Stoltz, and I spoke in the days preceding the January 20, 2010, hearing regarding the Plaintiff's motions for preliminary injunctive relief.
4. Pursuant to the Court's order, I am submitting a true and accurate copy of a letter annexed hereto from Attorney Penton detailing the agreement to honor the injunction of issued which the Court ordered that I file at the hearing on January 20, 2010.

I execute this affidavit on this day, January 22, 2010, and state under penalty of perjury that the foregoing is true and accurate.

/s/ Jeffrey S. Baker
Jeffrey S. Baker

Ronnie G. Penton
Trial Attorney
rgp@rgplaw.com
Licensed in LA, TX

MaryAnna Penton
Associate Trial Attorney
mpenton@rgplaw.com
Licensed in MS

Gair Oldenburg
Associate Trial Attorney
gmo@rgplaw.com
Licensed in LA


LAW OFFICES OF RONNIE G. PENTON



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January 19, 2010

Mr. Jeffrey S. Baker
Baker & Associates
2 West Hill Place, Suite 100
Boston, MA 02114
Via Telecopier (617) 573-9503

RE: Highsteppin' Productions, LLC versus
George Porter, et al

Dear Jeffrey:

This letter is being written late on the afternoon of January 19th, after having tried to agree on a stipulation acceptable to both parties. Unfortunately, that was not possible. However, please accept my promise that we will swiftly move for a *pro hac* admission into the Massachusetts court so that these issues could be litigated. Importantly, our clients have agreed to honor the TRO, as well as any preliminary injunctions, and will account to you for all income received by them to which your client claims an interest. Specifically, we will escrow all commissions on which you claim to have an interest until further orders of the Court.

Again, I request that you reconsider restraining all income from the defendants' publishing income as that would be irreparable injury to them. We are informed that the publishing companies will hold all payments unless you modify that request to reserve only the commissions you claim.

Again, let me thank you for discussing this case with us. We will be talking to you very soon.

With best regards, I remain

Sincerely yours,


Ronnie G. Penton

RGP/dianne

209 HOPPEN PLACE | BOGALUSA, LA 70427 | TEL: 985.732.5651 | TOLL FREE: 800.419.3445 | FAX: 985.735.5579

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